

March 15, 2013

The Honorable Senator Terry B. Gerratana
Chairman, Public Health Committee
Legislative Office Building, Room 3000
Hartford, CT 06106

The Honorable Representative Susan Johnson
Chairman, Public Health Committee
Legislative Office Building, Room 5007
Hartford, CT 06106

Members of the Public Health Committee of the Connecticut General Assembly

Re: **S.B. No. 872 AN ACT CONCERNING THE USE OF INDOOR TANNING DEVICES
BY PERSONS UNDER EIGHTEEN YEARS OF AGE.**

Dear Senator Gerratana, Representative Johnson, and distinguished members of the
Public Health Committee:

Thank you for your public service in these challenging times. While there are many
complex issues facing us in Connecticut, there's an important public health issue that, in
my humble opinion, is simple:

Banning indoor tanning for minors today to prevent skin cancers tomorrow.

Indoor tanning is classified as a carcinogen, like tobacco smoke and asbestos, by the
Centers for Disease Control and Prevention (CDC) and the World Health Organization.
(CDC 2013, El Ghissassi 2009). No minor under 18 in our state should be exposed to
the carcinogen of indoor tanning. I respectfully request that you pass a complete ban on
indoor tanning and remove the physician-prescription exemption from S.B. 872 — for
these reasons:

1. Browning or burning your skin in a tanning booth is not equivalent to receiving
focused phototherapy from a dermatologist in a clinical setting.

The president of the American Academy of Dermatology (AAD), Dr. Daniel
Siegel, a dermatologist in private practice, explains it well:

[T]he crucial disparity is that phototherapy is closely monitored and
supervised by a dermatologist, a medical doctor who has the appropriate
training and expertise in this area. This type of medical care is not provided at
an indoor tanning salon, where operators have minimal knowledge about the
potential side effects of UV light, and tanning bed lamps have variable
amounts of UVA and UVB light. A recent investigation by the U.S. House
Energy and Commerce Committee [U.S. Congressional Report 2012]
demonstrates that when asked direct, simple questions about the safety of
indoor tanning, the industry willfully misleads potential customers, putting
their health in jeopardy.

The U.S. Food and Drug Administration (FDA) approves medical UV phototherapy lamps and devices for use in a clinical setting, but it does not approve the use of indoor tanning devices for medical treatment or recognize an indoor tanning bed as a medical device. For several chronic skin diseases, including psoriasis, vitiligo, and atopic dermatitis, the use of phototherapy in the dermatologist's office may be prescribed as a treatment. In these cases, the dermatologist and patient assess and weigh the potential benefit of treatment of the skin disease against the risks of UV exposure. (American Academy of Dermatology)

2. A tanning booth is particularly dangerous for younger users; people who begin indoor tanning younger than age 35 have a 75% to 87% higher risk of melanoma (IARC 2007, Boniol 2012), the deadliest form of skin cancer.
3. A recent national survey found that 21% of U.S. high school girls had tanned indoors in the past year (Eaton 2012). This rises to 32% among 12th-grade girls (CDC 2013). With percentages that high, could a prescription exemption create a prom-tan loophole or worse?
4. Allowing medical prescriptions for minors to use tanning beds will enable the indoor tanning industry to claim that a tanning bed can be medically necessary, safe, and efficacious for minors — against a mountain of compelling scientific evidence to the contrary.

We are fortunate in Connecticut to have some of the most respected and productive skin cancer researchers and physicians in the country. I was lucky to work under some of them while earning my master's in public health at the Yale School of Public Health. Their skin-cancer research was funded by a Specialized Programs of Research Excellence (SPORE) grant from the National Institutes of Health. During my graduate work in New Haven, I came into contact with hundreds of young adult survivors of skin cancers; many of them had indoor tanned in their teens. From that experience and from studying the clear and abundant scientific evidence on the carcinogenic effects of indoor tanning, I became convinced of the absolute need to prohibit indoor tanning for minors in our state. Over the past 5 months, I have helped to coordinate a statewide effort toward a ban. Along the way I have been joined by more than 400 Connecticut residents in petitioning the Public Health Committee to pass a ban on indoor tanning for minors under 18 without exception. I submitted the electronic petition, with the 406 signatures, to the committee earlier this week.

Current U.S. indoor tanning laws based on parental consent do not reduce indoor tanning among adolescents (Mayer 2011). In addition to being ineffective, parental consent laws for indoor tanning beg the question: We do not have legislation allowing parental consent for underage drinking and smoking, so why would we have it for indoor tanning?

We need a complete ban now because the skin-cancer risks posed by indoor tanning are too dangerous – especially for adolescents:

1. The UV radiation in indoor tanning can be 10 to 15 times stronger than the UV radiation from the midday sun in the Mediterranean. (Boniol 2012)

2. Yale researchers found that *nearly half* of all cases of the most common type of skin cancer in women under age 40 in Connecticut could be prevented if individuals never tanned indoors. (Ferrucci 2012) Nearly half!
3. Individuals who indoor tan starting at younger ages have a higher risk of all types of skin cancer compared to those starting later in life. (Boniol 2012; IARC 2007; Wehner 2012)
4. Skin cancer is increasing in incidence, especially in young people, and is highly preventable. Melanoma increased eight-fold among females, ages 18 to 39, over the past 40 years. (Reed 2012) Eight times, in just over a generation!

While I am a proponent of sensible cancer prevention, I do appreciate non-cancer-related concerns I've heard about the prospect of a ban. I want to address them here.

What about the impact on small business?

A *Hartford Courant* news story from January 3, 2013 suggests that the impact on the business of indoor tanning in Connecticut would be minimal. According to the *Courant's* reporter who interviewed "Tom Kelleher, owner of Tommy's Tanning, a chain of 14 salons in Connecticut":

Kelleher said less than one percent of his customers are minors. "There's a huge misperception," he said. "People think: tanning, spring break." In reality, he said, tanning customers are older, and more likely to be men, than the stereotype would have it. (Hartford Courant)

A magazine aimed at tanning-parlor owners and clients, *Smart Tan*, recently reported that in Victoria, British Columbia, despite an under 18 ban there, tanning salons are finding their business to be "steady or up or over last year's sales." (Smart Tan) The article attributed this to increased sales of spray tans as a non-carcinogenic alternative. Citing a survey showing that "60 percent of salon clients are using sunless, and 40 percent of those clients had never been in the store before," another article in the most recent issue of *Smart Tan* states that "... sunless tanning isn't just a way to improve sales with your existing client base, it's an opportunity to expand market into fresh territory." (Smart Tan)

What about the impact on state and local budgets?

From my calls to public health officials in California, New York, and Vermont, where complete bans of indoor tanning for minors are in effect, I have learned that these bans have so far had no impact on local budgets and may, through ongoing enforcement, increase local and state revenues. In New York, enforcement is piggybacked on existing enforcement of alcohol and cigarettes sales to minors.

What about the impact on minors who need phototherapy who cannot access it?

In California, New York, and Vermont — with a combined population of more than 46 million people — the health officials I reached know of no cases of patient-access-to-phototherapy problems arising from complete indoor tanning bans for minors. Patient-access-to-phototherapy concerns are a non-issue in those states.

Please support a complete ban to protect minors from the carcinogenic effects of indoor tanning. This is simple. It's about doing what's right today for our kids to prevent cancers tomorrow.

Thank you for your time and considerations.

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